United Nations A/67/176

General Assembly

Distr.: General
25 July 2012

Original: English

Sixty-seventh session
Item 95 (i), (s) and (bb) of the provisional agenda*
General and complete disarmament

Consolidation of peace through practical disarmament measures

Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them

The illicit trade in small arms and light weapons in all its aspects

Report of the Secretary-General

Summary

The present report provides an overview of the activities undertaken by Member States, the United Nations system and other intergovernmental organizations regarding the implementation of General Assembly resolutions 65/67, 66/34 and 66/47, which cover the illicit trade in small arms and light weapons, the assistance to States provided in that context and the consolidation of peace through practical disarmament measures.

During the reporting period, from August 2011 to July 2012, Member States, international and regional organizations continued to implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, and further efforts were made to facilitate international cooperation to enable States to implement the two instruments. The success of the Third and Fourth Biennial Meetings of States to Consider the Implementation of the Programme of

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Action, which were held in 2008 and 2010, and of the Open-ended Meeting of Governmental Experts on the same topic held in 2011, has built a positive momentum for the second conference to review progress made in the implementation of the Programme of Action, which will be held in New York from 27 August to 7 September 2012.

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I. Introduction

1. By its resolution 65/67, entitled "Consolidation of peace through practical disarmament measures", the General Assembly requested the Secretary-General to submit, at its sixty-seventh session, a report on the implementation of practical disarmament measures, taking into consideration the activities of the Group of Interested States in that regard.

2. By its resolution 66/34, entitled "Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them", the General Assembly invited the Secretary-General and those States and organizations that are in a position to do so to continue to provide assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them, and to that end, encouraged cooperation among State organs, international organizations and civil society in supporting programmes and projects. The Assembly, in the same resolution, also requested the Secretary-General to continue to consider the matter and to report thereon to the General Assembly at its sixty-seventh session.

3. By its resolution 66/47, entitled "The illicit trade in small arms and light weapons in all its aspects", the General Assembly called upon all Member States to contribute to the continued implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects[1] at the national, regional and global levels. It also called upon all States to implement the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons[2] (International Tracing Instrument) and requested the Secretary-General to report to the Assembly at its sixty-seventh session on the implementation of the resolution.

4. The present report is submitted pursuant to the requests made by the General Assembly in the above-mentioned resolutions. To enable a coherent approach to these overlapping and interconnected issues, the three resolutions are addressed together in this report, as has been the practice in the past.

II. Consolidation of peace through practical disarmament measures; assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them; and implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

A. United Nations system

1. Security Council

5. Illicit trade in small arms and light weapons and their proliferation exacerbate political unrest and prolong and escalate conflicts. During the reporting period,

[1] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[2] A/60/88 and Corr.2, annex; see also decision 60/519.

negative impacts of such trade continued to manifest themselves in a number of countries whose situations are under consideration by the Security Council. Most notably, a large influx of small arms and light weapons in the wake of the Libya crisis has had a detrimental impact on an already precarious security situation in the neighbouring Sahel region. Reportedly, it has resulted in an increase in weapons trafficking and criminality, a dramatic spike in armed robbery and an invigoration of insurgencies and actions by terrorist groups. An assessment mission to the Sahel region[3] discovered that large quantities of weapons and ammunition from Libyan stockpiles, including rocket-propelled grenades, machine guns with anti-aircraft visors and light anti-aircraft artillery, were smuggled into the Sahel region. It also noted that the effectiveness of border protection and control varies widely among States in the region: border control authorities of most countries lacked human capacity and technological and logistical infrastructure.

6. Border control was the subject of a focused discussion of the Security Council when it held an open meeting on the issue of illicit cross-border trafficking and movement on 25 April 2012. In discussing threats to international peace and security posed by illicit cross-border trafficking in arms, drugs, chemical and biological weapons and other goods, Council members noted the relevance of existing international instruments, including the Programme of Action and the International Tracing Instrument. Some Council members called for more attention for improvement of border management as a part of broader crime prevention measures. Cooperation at the regional level was often cited as crucial for adequate prevention of small arms and light weapons and ammunition flows in the area. The meeting invited the Secretary-General to submit a report providing a comprehensive survey and assessment of the relevant work of the United Nations to help Member States counter illicit cross-border trafficking and movement in six months.[4]

7. The majority of sanctions established by the Security Council include provisions for arms embargoes, which typically prohibit all States from supplying arms and related materiel, and from providing related technical training or assistance to the targeted State, region, individual or entity. Expert groups, monitoring groups or groups of experts that support sanctions Committees continued to discover illicit small arms trade within the regions concerned. They also noted a frequent lack of proper legislation and control mechanisms, as well as lack of equipment and capacity, in the targeted and neighbouring States to properly manage, store and monitor arms. Their recommendations[5] often referred to the need to address the national situation through actions that are suggested under the Programme of Action and the International Tracing Instrument.

8. Although cooperation between expert groups and peace operations has increased in general, the influx of small arms and light weapons and their ammunition into targeted States continues in defiance of arms embargoes. In some cases, smuggled arms and ammunition were used to attack peacekeepers with lethal results. Expert groups monitoring arms embargoes have stressed the need for peace operations to develop the necessary measures to control small arms and light weapons, including artisanal weapons, and have recommended proper registration of seized weapons, oversight of arms and ammunition recovered by police to assist in

[3] See S/2012/42.

[4] See S/PRST/2012/16.

[5] See S/2011/757, paras. 93 and 108 and S/2011/738, paras. 568 and 664 (r).

criminal investigations, the marking of State-owned firearms and to accelerate national inventory processes for arms and ammunition.

9. The issue of small arms was also seen as highly relevant in other debates within the Security Council, including the issue of children and armed conflict; the relationship between women, peace and security; the protection of civilians in armed conflict; violation of arms embargoes; and threats to international peace and security caused by terrorist acts.

2. General Assembly

Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Preparation for the second conference to review progress made in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons and All Its Aspects

10. The General Assembly decided to hold the second review Conference on the implementation of the Programme of Action in New York from 27 August to 7 September 2012, and to convene its preparatory committee in New York, from 19 to 23 March 2012.[6]

11. At the meeting of the preparatory committee, Member States exchanged general views on the implementation of the Programme of Action and the International Tracing Instrument, and adopted a report containing all procedural decisions and recommendations for the review conference, including its provisional agenda, the nomination of the president, other officers of the Conference and the Secretary-General of the Conference. In addition, the Chair prepared a summary of the substantive discussion that was referenced in the final report and would form a basis for further work in the period leading up to the review conference.

12. After the first review conference of the Programme of Action in 2006, which concluded without an agreed outcome document, it is essential that the second review conference adopt a substantive outcome document to guide the efforts of the international community in the fight against the illicit trade in small arms and light weapons.

Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (Firearms Protocol)

13. In resolution 5/4, adopted at its fifth session, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime decided to establish an open-ended intergovernmental working group on firearms. The first meeting of the Working Group on Firearms was held in Vienna on 21 and 22 May 2012. The Working Group on Firearms adopted a report that contained recommendations on the promotion of universal adherence to the Firearms Protocol and the implementation of its provisions; international cooperation; technical assistance; the future work of the Working Group on Firearms; and ways in which the Working Group can better coordinate with the various international bodies in supporting and promoting the implementation of the Firearms Protocol.

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[6] See resolution 66/47.

14. The United Nations Office on Drugs and Crime (UNODC) has continued the implementation of the global project on firearms, which focuses on the following areas: (a) awareness-raising and promotion of the ratification of the Firearms Protocol; (b) development of specialized tools; (c) legislative assistance to strengthen the legal and regulatory framework on firearms and promote regional harmonization of laws and practices; (d) capacity-building and training; (e) strengthening the criminal justice responses for investigating and prosecuting firearms criminality; (f) promoting effective international law enforcement, judicial cooperation and information exchange; and (g) increased knowledge on transnational firearms trafficking patterns and enhanced civil society engagement. UNODC has also provided assistance in identifying the legislative gaps in the implementation of the Firearms Protocol; it has prepared a regional legislative analysis and has invited the participating States to review the results at two regional conferences.

Broader initiatives related to the illicit trade in small arms and light weapons

Arms trade treaty

15. The United Nations process leading to an arms trade treaty, which began in 2008 with the establishment of a group of governmental experts and followed with the establishment in 2009 of the Open-ended Working Group,[7] culminates with the convening of the United Nations Conference on the Arms Trade Treaty in New York in July 2012. The fourth and final session of the preparatory committee for the Conference, held from 13 to 17 February 2012, agreed on all procedural decisions and recommendations regarding the Conference, including its provisional agenda, the provisional rules of procedure and the nomination of the President, the Secretary-General and the other officers of the Conference.

16. Despite wide support among Member States and civil society for a robust arms trade treaty that governs international transfers of conventional weapons, States remain divided on a number of topics, including the categories of weapons to be covered under the Treaty. The question of whether an arms trade treaty would include small arms and light weapons in its scope has an important bearing on the future efforts of the United Nations and the international community to curb the illicit trade of such weapons.

Armed violence and development

17. The Second Ministerial Review Conference of the Geneva Declaration on Armed Violence and Development was held in Geneva on 31 October and 1 November 2011. The Conference adopted an outcome document that not only reaffirmed the commitment of the signatory States to integrate armed violence reduction and prevention actions into development and security programmes, but also set clear priorities for the implementation of the Geneva Declaration by 2015. The Conference provided an opportunity to share a wealth of experiences that participants had gathered in tackling the scourge of armed violence.

18. During the reporting period, the United Nations Development Programme (UNDP), in partnership with the Geneva Declaration secretariat and the Government of Croatia, organized a "promising practices" regional seminar in Zagreb, which

[7] See A/66/177 and A/65/153.

aimed to review progress made in the implementation of armed violence prevention policies and strategies, to share experiences and lessons learned at the regional level, and to identify promising and innovative armed violence reduction and prevention practices. The seminar was the last in the series of "promising practices" regional seminars that were organized throughout 2010 and 2011 following the Second Ministerial Review Conference on the Geneva Declaration. Previous seminars were held in Brazil, Guatemala, Kenya, Nigeria and Nepal.

United Nations Register of Conventional Arms

19. Established in 1991, the United Nations Register of Conventional Arms is a primary transparency instrument of the United Nations on international trade of conventional weapons in seven predefined categories. Since 2003, Member States have also reported voluntarily on their transfers of small arms.

20. To date, 80 Member States have reported on their exports and imports of small arms to the Register, or the absence of such transfers, at least once. The percentage of States that included small arms transfers in their national reports to the Register remains steady at a relatively high level: 56 per cent in 2011. However, there were significant disparities among regions. Of the 48 States that provided information on small arms in 2011, only 9 were from the Latin American and Caribbean region and none were from the African region, regions that are most affected by small arms.[8]

3. United Nations Coordinating Action on Small Arms

International Small Arms Control Standards

21. During the reporting period, work continued on the development of the International Small Arms Control Standards, a set of voluntary international standards that will provide clear and comprehensive guidance to practitioners and policymakers on a wide range of small arms-related issues. The United Nations Coordinating Action on Small Arms mechanism continued to organize broad-based consultations on all modules, involving Member States, regional organizations, industry representatives, academia and non-governmental organizations, with a view to fine-tuning and finalizing the International Small Arms Control Standards. It is anticipated that the Standards will be launched in August and September 2012 to coincide with the second review conference on the implementation of the Programme of Action, which is scheduled around that time. The next phase of the Standards project will include developing training materials and preparing for periodic review and updating of the modules, in order for the Standards to have maximum impact on the ground and remain relevant to the changing technological environment.

International Ammunition Technical Guidelines

22. The value and the ability of arms to sustain armed conflict or violence depend on the availability of an uninterrupted supply of ammunition. That is why conventional ammunition stockpiles are popular points of diversion of ammunition into illicit markets. Improving the whole-life management of such depots is a key measure to stem the unregulated flow of ammunition. In accordance with a recommendation of the 2008 Group of Governmental Experts on the issue of

[8] Available from www.un-register.org.

conventional ammunition stockpiles in surplus,[9] the International Ammunition Technical Guidelines have been developed by the United Nations under the UN SaferGuard programme and were reviewed by a technical review panel consisting of Member States. The Guidelines and the International Small Arms Control Standards are complementary in that they offer a coordinated set of standards.

23. After its third meeting in Rio de Janeiro, Brazil, from 5 to 8 September 2011, the technical review panel affirmed that the technical content of the International Ammunition Technical Guidelines was complete, comprehensive and of the highest available standards. The Guidelines have already been implemented in Côte d'Ivoire, Republic of the Congo, Democratic Republic of the Congo, Guinea-Bissau, Libya, Somalia and South Sudan, in partnership with the United Nations Mine Action Service.

Programme of Action Implementation Support System

24. Since the launch of the Programme of Action Implementation Support System in July 2008, this web-based platform has continued to evolve as the one-stop-shop for information on all elements related to the implementation of the Programme of Action. It now offers online reporting for the Programme of Action and the International Tracing Instrument in all six official languages of the United Nations.[10] Recently, the reporting template for the Programme of Action was adopted by the Organization of Security and Cooperation in Europe as a basis for its regional reporting requirements. The Programme of Action Implementation Support System also continues to serve as a platform for matching assistance needs with available resources in the area of capacity-building for small arms-related activities. The continuous operation of the System beyond 2012 remains dependent upon availability of voluntary contributions.

4. Group of Interested States in Practical Disarmament Measures

25. Established in 1996, the Group of Interested States in Practical Disarmament Measures continued to meet on a regular basis. Since 2010, seven meetings of the Group have been held. Specific agenda items for these meetings included the preparation for the 2011 Open-ended Meeting of Governmental Experts and the second review conference to review the implementation of the Programme of Action, to be held in 2012, gender and small arms, conflict prevention and implications of the arms trade treaty. More importantly, as encouraged by the General Assembly,[11] the Group continued to function as an informal, open and transparent forum, with the Programme of Action Implementation Support System and the United Nations Coordinating Action on Small Arms mechanism as a basis, for the matching of assistance needs with available resources in the implementation of the Programme of Action. In particular, a document of assistance proposals compiled by UNODA was presented and discussed at meetings of the Group of Interested States.[12] These proposals were based on national needs and requests for assistance as identified and conveyed by Member States in their 2010 national

[9] See A/63/182.

[10] See A/CONF.192/BMS/2010/3, para. 41.

[11] See resolution 65/67.

[12] See www.poa-iss.org/InternationalAssistance/InternationalAssistance.aspx.

Programme of Action reports. The assistance efforts, through the Group, have resulted in several projects being funded or negotiated.

B. Activities undertaken at the regional and subregional levels

Africa

26. The United Nations Regional Centre for Peace and Disarmament in Africa provided assistance to African States and regional organizations through capacity-building and training, technical assistance, research, advocacy and outreach activities. The Centre supported the African Union, the Economic Community of West African States (ECOWAS) and the Economic Community of Central African States (ECCAS) in their efforts to implement regional and subregional instruments on combating illicit small arms and light weapons. The Centre continued to provide, upon request, training to national defence and security forces, national commissions on small arms, and civil society of a number of African States, including on regulating arms brokering, formulating regional and national action plans and strategies, harmonizing national legislations on small arms and developing regional and subregional common positions on the arms trade treaty.

27. Regional organizations in Africa, including the African Union, ECCAS, ECOWAS, the Regional Centre on Small Arms for the Great Lakes Region, the Horn of Africa and Bordering States, and the Southern African Development Community have continued to provide assistance to States on the issue of controlling small arms and light weapons.

Americas

28. During the reporting period, the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean strengthened the capacity of nine States in the region and assisted their efforts in destroying 3,500 of their surplus, obsolete or confiscated weapons and more than 60,000 rounds of ammunition. The Centre also assisted States in training a total of 350 security sector personnel in 16 States in the region to enhance their capacity to combat illicit small arms and light weapons, ammunition and explosives. The Centre further provided legal assistance to 17 States to facilitate the harmonization of their national legislations with regional and international small arms instruments, and engaged in joint programming with other United Nations agencies on armed violence prevention by focusing on small arms-related issues.

29. The United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean strengthened its cooperation with regional organizations of the Americas, including the Organization of American States, the Andean Community, the Caribbean Community and the Central American Integration System, through joint programming to provide policy, legal and technical assistance to Member States of the region to combat illicit small arms trafficking.

Asia and the Pacific region

30. During the reporting period, the Regional Centre for Peace and Disarmament in Asia and the Pacific continued to support and contribute to regional and

subregional discussion on combating the illicit trade in small arms and light weapons and on the process to develop the arms trade treaty. The Centre organized a national training course to strengthen the capacity of the Nepalese law enforcement officers, in particular police and customs agencies, to combat illicit small arms and light weapons trafficking. Regional organizations in Asia and the Pacific region, including the Association of Southeast Asian Nations and the Pacific Islands Forum, in cooperation with the Centre, continued to provide assistance to States in the region on the issue of small arms and light weapons.

III. Observations and conclusions

31. At the session of the preparatory committee for the review conference on the Programme of Action, held in March 2012, States indicated their preference for having the Conference review the full spectrum of implementation of the Programme of Action and the International Tracing Instrument, rather than focus on preselected topics. The substantive outcome of the Conference is expected to chart a way forward for enhancing international efforts to combat the illicit trade in small arms and light weapons.

32. The arms trade treaty is being negotiated at the United Nations Conference on the Arms Trade Treaty in 2012, the Working Group on the Firearms Protocol has put on its agenda the issue of coordination between the different related instruments dealing with firearms, and the United Nations Register of Conventional Arms will undergo a periodic review by a group of governmental experts who will meet in 2012 and 2013. Consideration should be given to the outcome of these processes with a view to enhancing synergy and complementarity among the broad range of instruments that deal with small arms and light weapons.